

REMARKS

Claims 1, 3, 5-10, 12, 15, and 16 remain in the application and stand finally rejected. Reconsideration of the rejection is respectfully requested in light of the following reasons.

Independent claims 1 and 9 have been amended in this response. Claim 14 has been canceled. Entry of the amendments is respectfully requested as they place the claims in condition for allowance.

The response submitted by Applicants on January 4, 2007 outlines in detail how the present claims are patentable over the references of record. Briefly, claims 1 and 9 recite the formation of a feature of a microstructure at a temperature greater than about 700°C in a process that includes an integrated transistor. As explained in the previous response, the references of record cannot be combined in a way that would increase the formation temperature of a movable microstructure feature without degrading an integrated transistor. That is, increasing the process temperature in a conventional microstructure process with integrated transistors would melt unprotected metals in the transistor.

Nevertheless, to expedite prosecution, claims 1 and 9 have been amended to recite features of the invention that further allow for a process involving microstructures and integrated transistors. In particular, claims 1 and 9 have been amended to recite formation of a second protective layer over the microstructure, wiring of the transistor, and removing the second protective layer to expose the microstructure (e.g., see Specification, page 21 line 26 to page 22 line 11). It is respectfully submitted that the references of record do not disclose such process steps, let alone in a process that involves formation of movable microstructure elements at a temperature greater than 700°C. Therefore, it is respectfully submitted that claims 1 and 9, and dependent claims 3, 5-10, 12, 15, and 16, are patentable over the references of record.

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Conclusion

For at least the above reasons, it is believed that claims 1, 3, 5-10, 12, 15, and 16 are in condition for allowance. The Examiner is invited to call the undersigned at (408)436-2112 for any question.

Respectfully submitted,
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